IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE

ACT, INC.,

Case No. 3:18-cy-00186-TRM-HBG

Plaintiff and Counter-Defendant,

V.

WORLDWIDE INTERACTIVE NETWORK, : JURY TRIAL DEMANDED INC. and TERESA CHASTEEN,

Defendants and Counter-Claimants.

DECLARATION OF STEVE SCHURING

- I, Steve Schuring, declare as follows:
- I am employed by ACT, Inc. ("ACT") as Vice President of Finance and 1. Accounting.
- 2. ACT provided WorkKeys to the State of South Carolina until 2018. As of 2017, the annual value to ACT of its contract with the State of South Carolina was approximately \$2.25 million.
- 3. The State of South Carolina selected Defendant Worldwide Interactive Network, Inc. ("WIN") to provide a career ready test, instead of ACT, in February of 2018 pursuant to a Request for Proposal issued November 2017.
- From 2011 to 2018, ACT had employed a number of people to support the contract 4. with the State of South Carolina. After ACT lost the South Carolina contract to WIN, ACT laid off a number of employees. I estimate that ten ACT employees were laid off as a direct result of

-1-

the loss of the South Carolina contract. ACT has not hired these employees back as there was insufficient work to keep them employed after South Carolina began using WIN's assessments.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed on this 20th day of May, 2020, at Iowa City, Iowa.

Steve Schuring